

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
E/S Edgewater Avenue, 360' N of  
the c/l of Choptank Avenue \* DEPUTY ZONING COMMISSIONER  
(8017, 8019 & 8021 Edgewater Avenue)  
15th Election District \* OF BALTIMORE COUNTY  
7th Councilmanic District \*  
Case No. 97-185-A  
Norman C. Evans, George S. Warthen, and  
Dorothy Warthen - Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for adjoining properties known as 8017, 8019 and 8021 Edgewater Avenue, located in the vicinity of Pulaski Highway in Chesaco Park. The Petition was filed by the respective owners of the properties, namely, Norman C. Evans, owner of 8017 Edgewater Avenue, George S. Warthen, owner of 8019 Edgewater Avenue, and Dorothy Warthen, owner of 8021 Edgewater Avenue. The Petitioners seek relief from Section 1B02 3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks from an approved adjusted lot line as follows: For 8017 Edgewater Avenue, side setbacks of 4' and 7'; for 8019 Edgewater Avenue, setbacks of 7' and 9'; and for 8021 Edgewater Avenue, setbacks of 9' and 6', all in lieu of the required 10', and to permit a minimum lot width of 50 feet in lieu of the required 55 feet for 8021 Edgewater Avenue. The subject properties and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Norman C. Evans, Dorothy Warthen, Herbert Malmud, Professional Engineer who prepared the site plan for these properties, and Michael P. Tanczyn, Esquire, attorney for the Petitioners. There were no Protestants present.

ORDER RECEIVED FOR FILING  
Date 11/16/97  
By [Signature]

MICROFILMED

Testimony and evidence offered revealed that the subject properties are located within the subdivision known as Chesaco Park, which was recorded in 1909. The properties which are the subject of this request are all waterfront lots which face North East Creek. All of the lots in this subdivision are approximately 25 feet wide. Over the years, the properties in question were improved with one-story dwellings; however, when the houses were built, they actually straddled the various property lines in existence. As a result, the Petitioners were unable to obtain a clear title to the respective properties. Testimony indicated that the houses were built by family members who were not concerned about property lines. A lot line adjustment was performed and ultimately approved by the Development Review Committee on September 10, 1996. Mr. Malmud did an artful job relocating the lot lines for each property so that each house is situated on its own parcel of ground. Mr. Malmud adjusted the lot lines to afford each homeowner the most side yard setbacks as possible. However, there was no way to relocate the property lines in such a manner that the need for variances could be eliminated. Therefore, due to the close proximity of the houses to one another, the requested variances are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28  
(1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

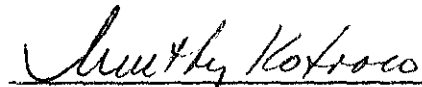
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10<sup>th</sup> day of January, 1997 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks from an approved adjusted lot line as follows: For 8017 Edgewater Avenue, side setbacks of 4' and 7'; for 8019 Edgewater Avenue, setbacks of 7' and 9';

and for 8021 Edgewater Avenue, setbacks of 9' and 6', all in lieu of the required 10', and to permit a minimum lot width of 50 feet in lieu of the required 55 feet for 8021 Edgewater Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

1/11/97

By



MICROFILMED



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

January 10, 1997

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
E/S Edgewater Avenue, 360' N of the c/l of Choptank Avenue  
(8017, 8019 & 8021 Edgewater Avenue)  
15th Election District - 7th Councilmanic District  
Norman C. Evans, George S. Warthen, and Dorothy Warthen - Petitioners  
Case No. 97-185-A

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Norman C. Evans  
8017 Edgewater Avenue, Baltimore, Md. 21237

Mr. George S. Warthen  
8019 Edgewater Avenue, Baltimore, Md. 21237

Ms. Dorothy Warthen  
8021 Edgewater Avenue, Baltimore, Md. 21237

People's Counsel; Case File

MICROFILMED

#185



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8017 Edgewater Avenue; 8019 Edgewater Avenue; and 8021 Edgewater Avenue

which is presently zoned DR 5.5

97-185-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 to allow a side yard variance from an approved adjusted lot line as follows: 8017 Edgewater Avenue: 4' and 7' in lieu of the required 10'; 8019 Edgewater Avenue: 7' and 9' in lieu of the required 10'; and 8021: 9' and 6' in lieu of the required 10'; and as to 8021 Edgewater Avenue to allow a minimum lot width of 50' in lieu of the required 55'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The improvements on the lots antedate zoning and were built so as to require exceptions for encroachments at the time of purchase. Lot line adjustment is the justification for a DRC Exemption under Baltimore County Code Section 26-171(a)(9).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

Signature

606 Baltimore Avenue.  
Suite 106

296-8823

Address

Phone No

Towson, MD 21204

City

State

Zipcode

Legal Owner(s):

NORMAN C. EVANS, 8017 Edgewater Avenue,  
Baltimore, MD 21237

(Type or Print Name)

Signature

GEORGE S. WARTHEN, 8019 Edgewater Avenue,  
Baltimore, MD 21237

(Type or Print Name)

Signature

DOROTHY WARTHEN, 8021 Edgewater Avenue,  
Baltimore, MD 21237 682-5715

Name

Phone No

Signature

Name, Address and phone number or representative to be contacted

HERBERT MALMUD

Name 100 Church Lane  
Baltimore, MD 21208

653-9511

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING  
unavailable for Hearing

the following dates Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

10/21/96

Printed with Soybean Ink  
on Recycled Paper

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ORDER RECEIVED FOR FILING

Date

By

H. MALMUD & ASSOCIATES, INC.  
100 CHURCH LANE  
BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

ZONING DESCRIPTION  
8017-19-21 EDGEWATER AVENUE  
BALTIMORE COUNTY, MARYLAND

97-185-A

BEGINNING FOR THE SAME ON THE EAST SIDE OF EDGEWATER AVENUE, 40 FEET WIDE AT A POINT DISTANT 360 FEET, MEASURED ON EAST SIDE EDGEWATER AVENUE NORTHWESTERLY FROM THE NORTH SIDE OF CHOPTANK AVENUE, THENCE BINDING ON EDGEWATER AVENUE:

- (1) NORTH 22° 23' 44" EAST 148.72 FEET, THENCE LEAVING EDGEWATER AVENUE AND RUNNING:
- (2) SOUTH 67° 27' 39" EAST 235.75 FEET TO THE WATERS EDGE OF NORTH EAST CREEK, THENCE BIND ON SAID CREEK THE TWO (2) FOLLOWING COURSES AND DISTANCES:
- (3) SOUTH 45° 26' 09" WEST 84.45 FEET,
- (4) SOUTH 35° 36' 05" WEST 72.80 FEET, THENCE LEAVING SAID CREEK AND RUNNING:
- (5) NORTH 67° 27' 39" WEST 186.06 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.708 OF AN ACRE OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

HERBERT MALMUD  
REGISTERED LAND SURVEYOR  
MARYLAND # 7558  
OCTOBER 13, 1996

FILE: DESEEDGE



MICROFILMED

# 185

**NOTICE OF HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Cross-packer Avenue in Towson, Maryland, on December 12, 1996, at 11:30 a.m. to receive comments on the proposed rezoning of the property.

**Item 153**  
 8017 Edgewater Avenue,  
 8019 Edgewater Avenue, and  
 8021 Edgewater Avenue,  
 E.S. of Edgewater Avenue,  
 380' N. of Choptank Avenue,  
 15th Election District,  
 7th Congressional District.

**Legal Owner(s):**  
 Norman C. Evans, George S. Warthen, and Dorothy Warthen

**Variance:** To permit side yard setbacks of 4 ft. and 7 ft. in lieu of 10 ft. for 8017 Edgewater Avenue, 7 ft. and 9 ft. in lieu of 10 ft. for 8019 Edgewater Avenue, and 9 ft. and 6 ft. in lieu of 10 ft. and a lot width of 50 ft. in lieu of 55 ft. for 8021 Edgewater Avenue.  
**Hearing:** Monday, December 30, 1996 at 11:30 a.m. in Rm. 118, Old Courthouse.

**LAWRENCE E. SCHMIDT**  
 Zoning Commissioner for Baltimore County

**NOTES: (1)** Hearings are Handicapped Accessible for special accommodations. Please call 887-3353.  
**(2)** For information concerning the file and/or hearing, please call 887-3391.

12/02/96 Dec. 5 C103465

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 12/5, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/5, 1996.

**THE JEFFERSONIAN,**

*A. H. Enid*  
 LEGAL AD. - TOWSON

**MICROFILMED**





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 185

Petitioner: Warthen, George S.

Location: 8017, 8019, 8021 Edgewater Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael P. Tanen, Esq

ADDRESS: 606 Balto. Ave., Suite 106  
Towson, MD 21204

PHONE NUMBER: (410) 296-8823

AJ:ggs

(Revised 09/24/96)

MICROFILMED



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

027912

DATE 10/21/96

ACCOUNT 81-615

By: mmk  
Item: 185

AMOUNT \$ 150.00

RECEIVED Tanzen, Michael - 8017, 804, 8621 Edgewater Ave  
FROM: Tanzen, Michael - 8017, 804, 8621 Edgewater Ave

FOR: 010 - Res. Ver. - 3 1/2 50.00 each - \$150.00

MICROFILMED DA008025MICARC  
SA 001102PM10-21-96

\$450.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER  
PINK - AGENCY  
YELLOW - CUSTOMER

# CERTIFICATE OF POSTING

RE: Case No.: 97-185-A

Petitioner/Developer: MICHAEL TANCZYN, ESQ.  
EVANS, WARTHEN, ETAL.

Date of Hearing/Closing: 12/30/96

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at # 8017, 8019, 8021  
EDGEWATER AVE.

The sign(s) were posted on DEC. 14, 1996  
(Month, Day, Year)

Sincerely,

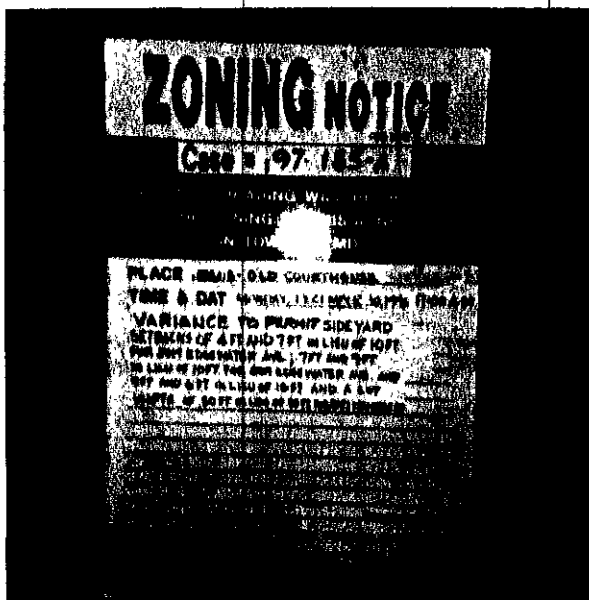
Patrick M. O'Keefe 12/16/96  
(Signature of Sign Poster and Date)

Patrick M. O'Keefe  
(Printed Name)

523 Penny Lane  
(Address)

Hunt Valley, MD 21030  
(City, State, Zip Code)

(410) 666-5366 Pager (410) 646-8354  
(Telephone Number)



97-185-A  
# 8017, 19, 21 EDGEWATER AVE.  
C/O MICHAEL TANCZYN, ESQ  
N. C. EVANS, G. S. WARTHAN, ETAL

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Request for Zoning: Variance, Special Exception, or Special Hearing

# 185

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No. \_\_\_\_\_

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: *to permit ~~new~~ side yard setbacks 4' + 7' in lieu of 10' for 8017 Edgewater Ave, 7' and 9' in lieu of 10' for 8019 Edgewater Ave, and 9' and 6' in lieu of 10' and a lot width of 50' in lieu of 55' for 8021 Edgewater Ave.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

12/20/2010

TO: PUTUXENT PUBLISHING COMPANY  
December 5, 1996 Issue ~ Jeffersonian

Please forward billing to:

Michael P. Tanczyn, Esq.  
606 Baltimore Avenue, #106  
Towson, MD 21204  
296-8823

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-185-A (Item 185)

8017 Edgewater Avenue, 8019 Edgewater Avenue, and 8021 Edgewater Avenue  
E/S of Edgewater Avenue, 360' N of c/l Choptank Avenue  
15th Election District - 7th Councilmanic  
Legal Owner(s): Norman C. Evans, George S. Warthen, and Dorothy Warthen

Variance to permit side yard setbacks of 4 ft. and 7 ft. in lieu of 10 ft. for 8017 Edgewater Avenue; 7 ft. and 9 ft. in lieu of 10 ft. for 8019 Edgewater Avenue, and 9 ft. and 6 ft. in lieu of 10 ft. and a lot width of 50 ft. in lieu of 55 ft. for 8021 Edgewater Avenue.

HEARING: MONDAY, DECEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

UNRECORDED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 25, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-185-A (Item 185)

8017 Edgewater Avenue, 8019 Edgewater Avenue, and 8021 Edgewater Avenue  
E/S of Edgewater Avenue, 360' N of c/l Choptank Avenue  
15th Election District - 7th Councilmanic  
Legal Owner(s): Norman C. Evans, George S. Warthen, and Dorothy Warthen

Variance to permit side yard setbacks of 4 ft. and 7 ft. in lieu of 10 ft. for 8017 Edgewater Avenue; 7 ft. and 9 ft. in lieu of 10 ft. for 8019 Edgewater Avenue, and 9 ft. and 6 ft. in lieu of 10 ft. and a lot width of 50 ft. in lieu of 55 ft. for 8021 Edgewater Avenue.

HEARING: MONDAY, DECEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: Norman C. Evans  
George S. Warthen  
Dorothy Warthen  
Herbert Malmud  
Michael P. Tanczyn, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 15, 1996.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 17, 1996

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, MD 21204

RE: Item No.: 185  
Case No.: 97-185-A  
Petitioner: Norman C. Evans

Dear Mr. Tanczyn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 21, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.,  
Zoning Supervisor

WCR/re  
Attachment(s)

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on Recycled Paper

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director December 11, 1996  
Zoning Administration and  
Development Management

FROM: R. Bruce Seeley *RBS/98*  
DEPRM

SUBJECT: Zoning Item #185 - Evans Property  
Edgewater Avenue  
Zoning Advisory Committee Meeting of December 2, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp

EVANS/DEPRM/TXTSBP

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**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 12.13.56  
Item No. 185 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* Ronald Burns, Chief  
Engineering Access Permits  
Division

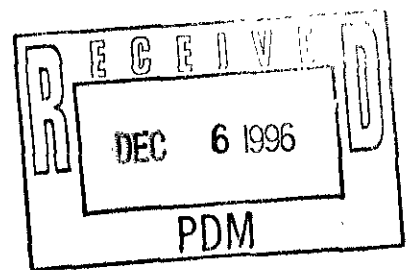
LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 12/05/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 02, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 185, 220, 221, 222, 223, 226,  
227 AND 231.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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on Recycled Paper

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: December 5, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for December 9, 1996  
Item Nos. 185, 219, 220, 221, 222,  
223, 225, 226, 227, 228, 229, 230,  
& 231

The Development Plans Review Division has reviewed the subject  
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE40

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: December 3, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos 185, 220, 223, 225, 227, 228, and 231

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey M. Long*

Division Chief:

*Cary L. Keen*

PK/JL

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ITEM185/PZONE/TXTJWL

# PETITION PROBLEMS

## #185 --- MJK

1. Where has this been?? Receipt and petition are dated 10/21/96.

## #219 --- CAM

1. Need authorization for person signing for legal owner.

## #220 --- MJK

1. Need authorization for person signing for legal owner.
2. Receipt was not given to petitioner - still in the file.

## #223 --- MJK

1. Need typed or printed title of person signing for legal owner.
2. Need authorization for person signing for legal owner.

## #229 --- JRF

1. Need telephone number for legal owner.

MK 15/96 96-5908  
58

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit. Existing housing. No building permit requested.

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

Print Name of Applicant Address  
☐ Norman C. Evans 8017 Edgewater Ave  
☐ George S. Warthen 8019 Edgewater Ave  
☐ Dorothy Warthen 8021 Edgewater Ave

(410) 682-5715

☐ Lot Address 8017 - 8021 Edgewater Election District 15 Council District 7 Square Feet .708 acre

Lot Location: SE /side/ of Edgewater Ave. 30 feet from S of Severn Ave.

Land Owner 8017 Norman C. Evans 15-15-05880200  
 8019 George S. Warthen 15-15-23001940  
 8021 Dorothy Warthen Tax Account Number 15-15-23003740

Address above Telephone Number (410) 682-5715

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)

**PROVIDED?**

- |  | YES      | NO    |
|--|----------|-------|
| 1. This Recommendation Form (3 copies)   | <u>X</u> | _____ |
| 2. Permit Application N/A-no construction requested  | _____    | _____ |
| 3. Submitted with Variance request, Item 185 pending Property (3 copies)                       | _____    | _____ |
| Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)                   | <u>X</u> | _____ |
| 4. Building Elevation Drawings N/A   | _____    | _____ |
| 5. Photographs (please label all photos clearly) color photos with labels submitted in lieu of | _____    | _____ |
| Adjoining Buildings  | _____    | _____ |
| Surrounding Neighborhood   | _____    | _____ |

Lot line adjust requested and granted

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

**RECOMMENDATIONS/COMMENTS:**

- ☐ Approval
 ☐ Disapproval
 ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by: \_\_\_\_\_  
for the Director, Office of Planning & Zoning

Date: \_\_\_\_\_

RE: PETITION FOR VARIANCE \* BEFORE THE  
8017 Edgewater Avenue, 8019 Edgewater Ave-  
nue, and 8021 Edgewater Avenue, E/S of \* ZONING COMMISSIONER  
Edgewater Ave, 360' N of c/l Choptank Ave  
15th Election District, 7th Councilmanic \* OF BALTIMORE COUNTY  
Norman C. Evans, George S. and Dorothy Warthen  
Petitioners \* CASE NO. 97-185-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30<sup>th</sup> day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

MICROFILMED

97-185A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael TANCZYK

606 BALTO AVE Towson Md 21204

DOROTHY WARTHEW

8091 EDGEWATER AV. BALTO. MD 21237

NORMAN C. EVANS JR.

8017 EDGEWATER AVE BALTO MD 21237

HERBERT MALMUD

100 CHURCH LANE PIKESVILLE 21208





Baltimore County Government  
Department of Permits and  
Development Management



111 West Chesapeake Ave.  
Towson, Md. 21204

(410) 887-3335

September 10, 1996

H. Malmud & Associates, Inc.  
100 Church Lane  
Baltimore, MD 21208

RE: Dorothy Etal  
8021 Edgewater Ave., 8019 & 8017  
DRC Number 09036D , Dist.C15C7

Dear Sir:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland and as provided in Section 602 (d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on September 3, 1996, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (A) (9).

MICROFILMED

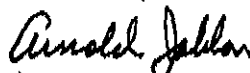
BALTIMORE COUNTY  
DEPARTMENT OF PERMITS &  
DEVELOPMENT  
EXHIBIT

H. Malmud & Associates, Inc.  
Mrs. Dorothy Warthen, Etal  
September 10, 1996  
Page 2

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 10th day of September, 1996, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,



Arnold Jablon  
Director

AJ:DTR:jw

c: Bruce Seeley  
Carol Brown  
File

MICROFILMED

**PLAT SHOWING TOPOGRAPHY  
FOR THE VARIANCE REQUEST FOR  
8017, 8019 & 8021 EDGEWATER AVENUE  
CHESACO PARK  
ELECTION DISTRICT NO. 15  
COUNCILMANIC DISTRICT NO. 7  
BALTIMORE COUNTY, MARYLAND**

Scale: 1" = 200'

November 11, 1996

Prepared by:  
H. Malmud & Associates, Inc.  
100 Church Lane  
Baltimore, Maryland 21208  
Telephone (410) 653-9511



REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	CHESACO PARK	N. E. 2-F
J.R.D.	7/26/83			
		DATE OF PHOTOGRAPHY APRIL 18, 1972	MICROFILM	
		Photography Compiled By Photogrammetric Methods INCORPORATED - BALTIMORE, MARYLAND		



8021

8019

8017



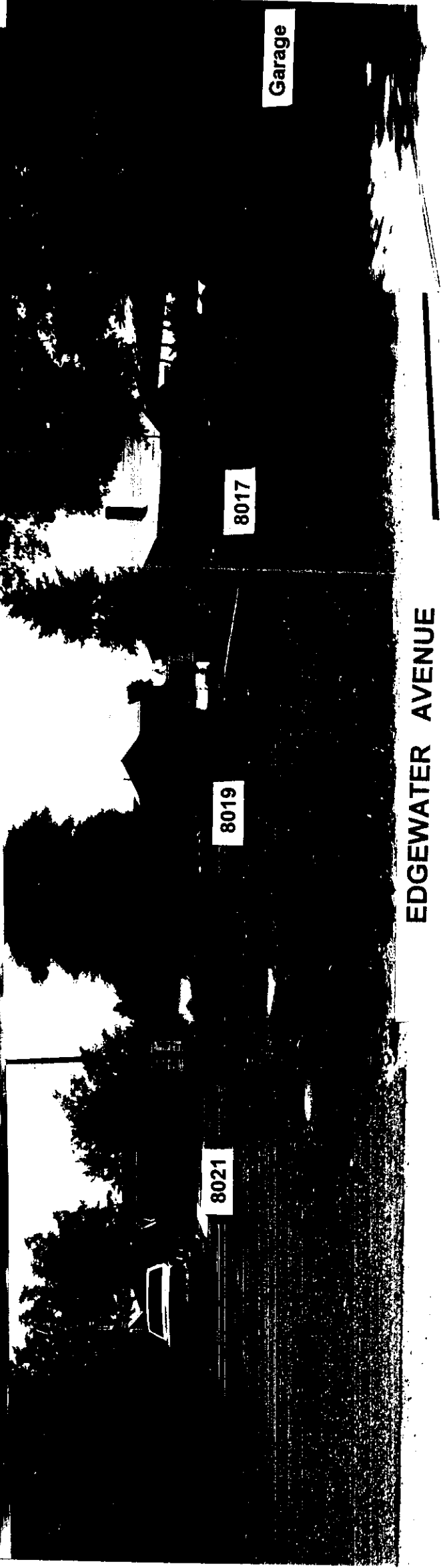
**SITE PHOTOS  
TO ACCOMPANY VARIANCE  
REQUEST FOR  
8017-8019 & 8021  
EDGEWATER AVENUE**

Date of Photos: July 16, 1996

Prepared by:

H. Malmud & Associates, Inc.  
100 Church Lane  
Baltimore, Maryland 21208

Telephone (410) 653-9511



EDGEWATER AVENUE

Garage

8017

8019

8021

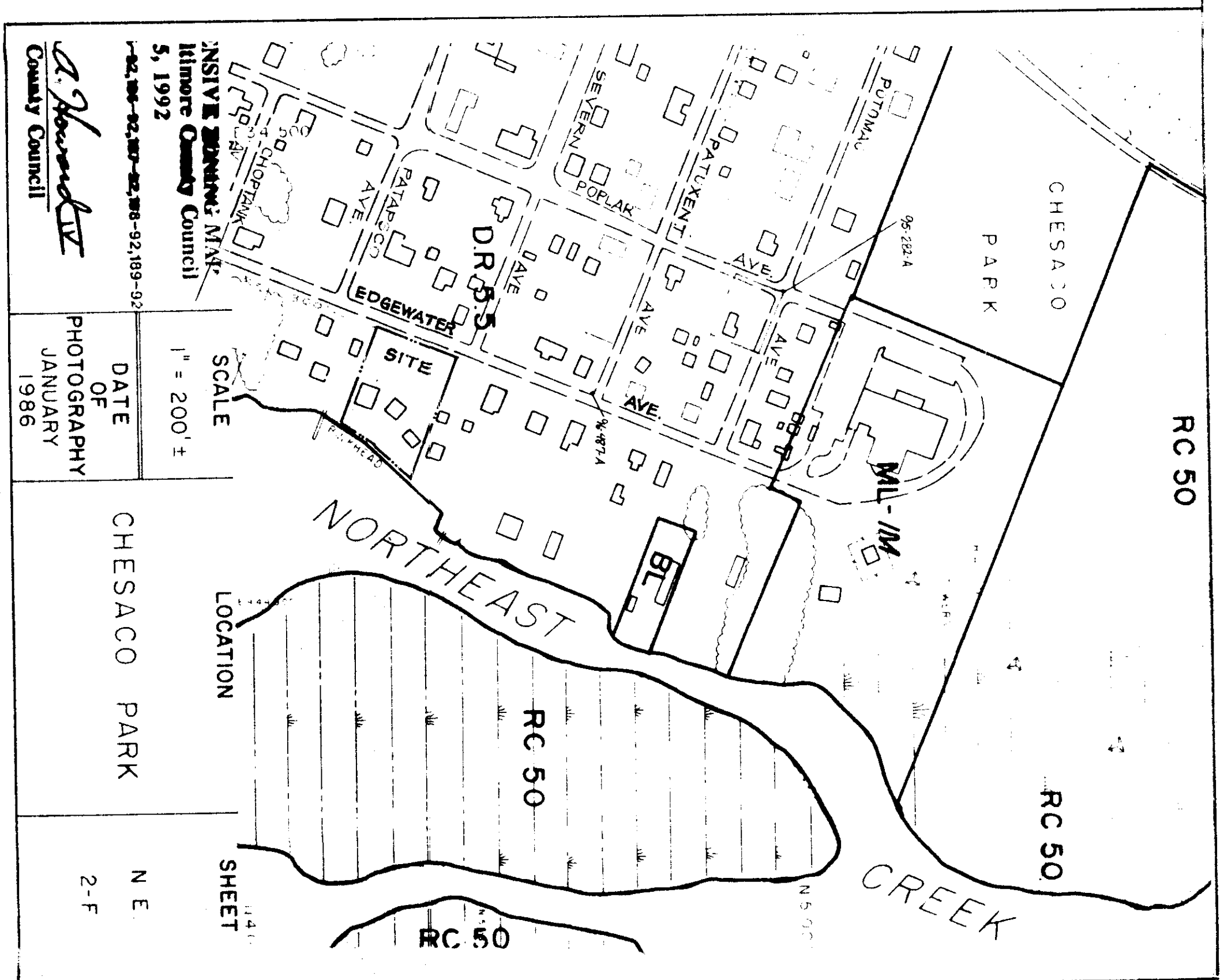
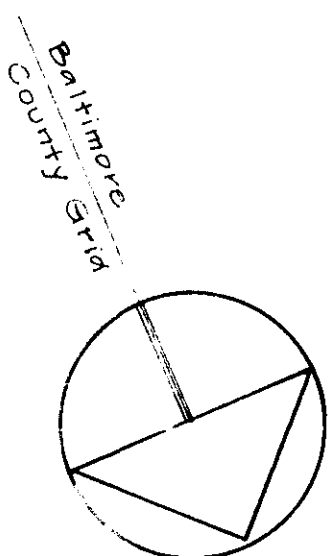
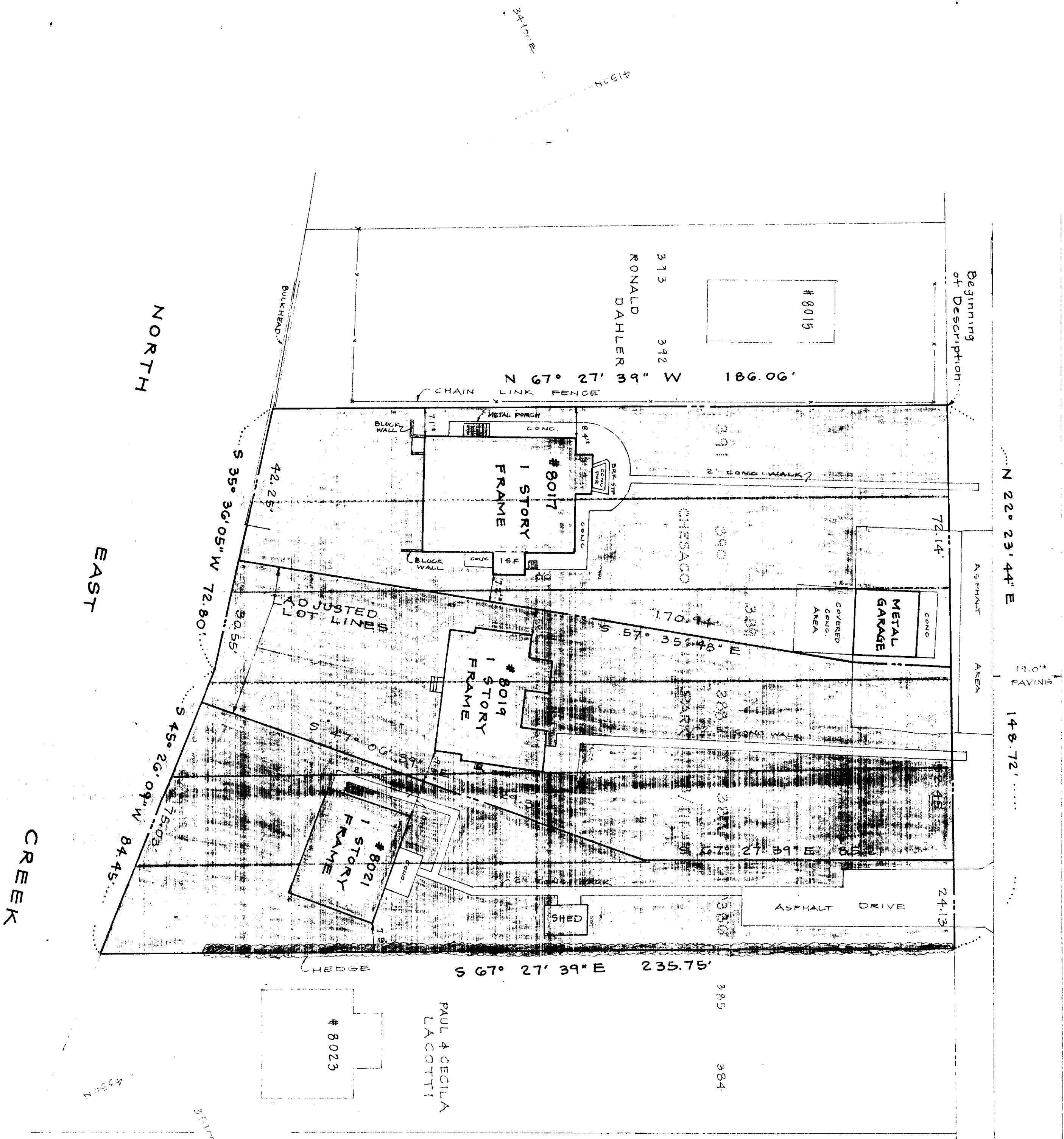


NOTES

1. PETITIONER & OWNER: Mrs. Dorothy Warthen, Etal  
8021 Edgewater Avenue & 8019 & 8017  
BALTIMORE, MD 21237  
TELEPHONE: (410) 682-5715  
DEED REFERENCE: Chesaco Park, Lots 386, 387, 388, 389, 390 & 391:  
TAX MAP# GRID 6, PARCEL 177  
ACCOUNT No. 15-1523003740
2. EXISTING ZONING: D.R. 5.5
3. EXISTING USE and PROPOSED USE: SAME - 3 SINGLE FAMILY HOMES.
4. TOTAL AREA OF PROPERTY: 0.708 ACRES +/-
5. PUBLIC WATER & SEWER SERVES THIS SITE.
6. A LOT LINE ADJUSTMENT WAS REQUESTED TO CORRECT ENCROACHMENTS OF THE HOUSES AND GARAGE AND WAS GRANTED SEPTEMBER 10, 1986, DRC NUMBER 09036D.
7. THE PURPOSE OF THIS REQUEST IS TO VARIANCE THE SIDE YARDS THAT ARE LESS THAN THE REQUIRED 10 FOOT MINIMUM WIDTH AND TO VARIANCE THE FRONT SETBACK WIDTH OF #8021 MINIMUM. IT WAS AGREED UPON AS PART OF THE DRC APPROVAL THAT THE ZONING VARIANCES WOULD BE APPLIED FOR.

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

EDGEWATER (40' R/W) AVENUE



ZONING & VICINITY MAP  
Scale: 1" = 200'

PLAT TO ACCOMPANY A VARIANCE  
REQUEST FOR  
8017, 8019 & 8021 EDGEWATER AVENUE  
CHESACO PARK  
ELECTION DISTRICT NO. 15  
COUNCILMANIC DISTRICT NO. 7  
BALTIMORE COUNTY, MARYLAND

Prepared by:  
H. Malinud & Associates, Inc.  
100 Church Lane  
Baltimore, Maryland 21208  
Telephone (410) 653-9511

Scale: 1" = 20'  
October 13, 1996

MICROFILM



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